

WAIVING CERTAIN PROVISIONS OF SECTION 212 (a) OF
THE IMMIGRATION AND NATIONALITY ACT IN BE-
HALF OF CERTAIN ALIENS

MARCH 29, 1956.—Committed to the Committee of the Whole House and ordered
to be printed

Mr. FEIGHAN, from the Committee on the Judiciary, submitted the
following

R E P O R T

[To accompany H. J. Res. 590]

The Committee on the Judiciary, to whom was referred the joint resolution (H. J. Res. 590) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens, having considered the same, report favorably thereon with amendments and recommend that the joint resolution do pass.

The amendments are as follows:

On page 1, line 10, after the name "Campbell," strike out the name "Edson Rhodes Mills,".

On page 2, after line 7, insert a new section 4 to read as follows:

SEC. 4. Notwithstanding the provisions of section 212 (a) (17) and (19) of the Immigration and Nationality Act, Edson Rhodes Mills may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act.

On page 2, line 8, strike out "Sec. 4." and substitute in lieu thereof "Sec. 5."

PURPOSE OF THE JOINT RESOLUTION

The purpose of the joint resolution, as amended, is to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

The joint resolution has been amended to correct an error in drafting.

GENERAL INFORMATION

The committee, desiring to lighten the burden of the Chief Executive and to shorten the time required for the consideration of Private Calendars on the floor of the House, has decided to include the names of several beneficiaries of pending bills in one joint resolution, after having considered each of the cases on their individual merits and having acquainted themselves with all the facts pertinent to each case.

Section 1 waives the provision of section 212 (a) (9) of the Immigration and Natilnality Act in behalf of two persons who were the subjects of individual bills, as follows:

H. R. 1385, by Mr. Powell.

H. R. 2471, by Mr. Herlong.

Section 2 waives the provision of subsection (19) of section 212 (a) of the Immigration and Nationality Act in behalf of two persons who were the beneficiaries of individual bills as follows:

H. R. 927, by Mrs. Frances P. Bolton.

H. R. 2489, by Mr. Klein.

Section 3 waives the provisions of subsections (9) and (17) of the Immigration and Nationality Act in behalf of one person who was the subject of H. R. 3642, by Mr. Pelly.

Section 4 of the joint resolution, as amended, waives the provisions of subsections (17) and (19) of the Immigration and Nationality Act in behalf of one person who was the subject of H. R. 1374, by Mr. Powell.

A discussion of each case included in the joint resolution, with reports from the departments of the administration and such additional information as was obtained by the committee, appears below in the order that those cases appear in the resolution, as amended.

Mrs. Myrtle Richardson Beane—H. R. 1385, by Mr. Powell

Mrs. Beane is a native of Bermuda and a subject of Great Britain who is the wife of a citizen of the United States. She was refused a visa under the provision of section 212 (a) (9) of the Immigration and Nationality Act as one who admits bigamy. The beneficiary contracted marriage to her present husband while she was still married to another person, and remarried him legally after she obtained a final divorce.

The pertinent facts in this case are contained in a letter dated June 24, 1954, from the Commissioner of Immigration and Naturalization to the then chairman of the Committee on the Judiciary, regarding a bill (H. R. 7091) pending during the 83d Congress for the relief of the same person. That letter and accompanying memorandum read as follows:

JUNE 24, 1954.

HON. CHAUNCEY W. REED,

*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 7091) for the relief of Mrs. Myrtle Richardson Beane, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would exempt the beneficiary from the provisions of section 212 (a) (9) of the Immigration and Nationality Act, which excludes from admission to the United States aliens who have been convicted of a crime involving moral turpitude, or aliens who admit having committed such a crime, or aliens who admit committing acts which constitute the essential elements of such a crime. The bill does not specifically limit the applicability of the exemption to grounds for exclusion of which the Department of Justice or the Department of State has knowledge prior to the date of enactment.

Sincerely,

_____, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE MRS. MYRTLE RICH-
ARDSON BEANE, BENEFICIARY OF H. R. 7091

Myrtle Louise Edith Beane, nee Richardson and formerly Matthews, was born in Hamilton, Bermuda, on November 5, 1912. She is a subject of Great Britain. At present, the beneficiary resides in Pembroke East, Bermuda, having returned to her native country in June 1953 while she was the subject of deportation proceedings by the Immigration and Naturalization Service. These proceedings were based on the beneficiary's last entry into the United States, which occurred at New York, N. Y., on September 24, 1949. She was at that time admitted as a temporary visitor for a period of 3 months, with subsequent extensions and satisfactory departure dates extending to November 1, 1950. After the beneficiary failed to depart from the United States, she was served with a warrant of arrest which charged her with having remained in the United States for a longer time than permitted. The beneficiary filed an application for adjustment of immigration status under the provisions of section 19 (c) (2) of the Immigration Act of 1917, as amended. This application received Service approval but failed of congressional action. Thereafter, the Board of Immigration Appeals ordered a grant of voluntary departure. It was in compliance with this order that the beneficiary departed from the United States to Bermuda on June 14, 1953. Service records indicate that the beneficiary had made previous entries into the United States as a nonimmigrant in 1937, 1946, and 1948.

According to information supplied in sworn testimony before this Service by Mr. Elton Eugene Beane, United States citizen-spouse of the beneficiary, Mrs. Beane was refused an immigrant visa at the American consulate, Hamilton, Bermuda, on the ground that she admitted the commission of the crime of bigamy, thus placing her within a class of aliens excludable from the United States under the provisions of section 212 (a) (9), Immigration and Nationality Act. Evidence previously furnished indicates that the beneficiary, while married to one James Matthews, a native and resident of Bermuda, contracted a marriage with Mr. Elton Eugene Beane in Stamford, Conn., in June 1950. The marriage of the beneficiary and Mr. Matthews was dissolved by divorce in superior court, Forsyth County, N. C., on

January 22, 1951. Mr. Beane has stated that 3 weeks after their first marriage ceremony in June 1950, he and the beneficiary separated when they learned that Mr. Matthews had failed to obtain a divorce from the beneficiary in Bermuda, pursuant to a mutual agreement, and that they resided apart until January 22, 1951, the date of their lawful remarriage in Winston-Salem, N. C. There has also been presented evidence of the dissolution of a marriage between Mr. Elton Eugene Beane and one Willie Mae Beane by divorce on May 29, 1950, in superior court, Forsyth County, N. C.

The beneficiary, except for time spent in the United States, has resided since birth in Bermuda. Her immediate family members, consisting of 1 brother and 2 sisters, are natives and residents of Bermuda. She is a dressmaker by trade but has not been formally employed since returning to Bermuda in June 1953. Prior to her return she had been assisting Mr. Beane in a business previously owned and operated by him in New York, N. Y.

The beneficiary attained an elementary school education in Bermuda. She has real estate and savings in Bermuda which are valued at approximately \$2,400.

Mr. Elton Eugene Beane, a native of Bermuda, has resided in the United States since 1920, approximately, and was naturalized in 1943. From 1938 until October 1953 he was the proprietor of Lew's Hand Laundry, 2519 Broadway, New York, N. Y., and since disposing of that business has worked for several laundry and dry-cleaning establishments in that city at an average salary of \$70 per week. Mr. Beane has completed an evening high-school course. His assets consist of several hundred dollars in savings, rental on the sublease of an 8-room apartment and personal effects of an undetermined value.

The Director of the Visa Office, Department of State, also submitted a report on the 83d Congress bill which reads as follows:

DEPARTMENT OF STATE,
Washington, February 15, 1954.

HON. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives.

MY DEAR MR. REED: Reference is made to your letter of January 18, 1954, and its enclosures, wherein you requested the views of this Department concerning the enactment of H. R. 7091, a bill for the relief of Mrs. Myrtle Richardson Beane. Reference is also made to the Department's interim reply of January 21, 1954.

According to information contained in the Department's records, Mrs. Beane was issued a temporary visitor's visa on July 9, 1948, at the American consulate general at Hamilton, Bermuda, under her former name of Myrtle Louise Edith Matthews, and she arrived in the United States in September 1949. On June 24, 1950, she married Elton Beane at Stamford, Conn., without having obtained a divorce from Matthews, her former husband. On January 22, 1951, Mrs.

Beane obtained a final divorce decree from Matthews and remarried Beane the same day. When questioned by the American consular officer at Hamilton regarding the possibility of an undissolved marriage existing at the time of her first marriage to Beane, and that she had twice married her present husband, Mrs. Beane admitted the facts to be true.

As a consequence, the consular officer to whom Mrs. Beane applied had no choice other than to refuse to issue an immigrant visa under the provisions of section 212 (a) (9) of the Immigration and Nationality Act, on the ground that Mrs. Beane had admitted the commission of a crime involving moral turpitude, namely, bigamy.

In the light of the information presently available to the Department, Mrs. Beane appears to be eligible to receive a visa except for the grounds of ineligibility stated above. However, it should be borne in mind that any other ground of ineligibility which may come to light prior to visa issuance would preclude Mrs. Beane's receiving an immigrant visa.

Sincerely yours,

EDWARD S. MANEY,
Director, Visa Office.

The Committee received numerous letters in support of this bill which read, in part, as follows:

NEW YORK 31, N. Y., April 13, 1955.

Hon. EMANUEL CELLER,
Chairman, House Judiciary Committee,
Washington, D. C.

DEAR SIR: I am taking the liberty to write to you on behalf of my wife, Myrtle Beane. In 1954, the honorable Congressman Adam Powell submitted bill No. 7091, petitioning your committee to grant her permission for legal entry to the United States of America so that she may resume the normal process of being with me, her husband. Congress adjourned in 1954 before any action could be taken; so the Congressman has introduced another bill, No. 1385 at this session.

I'm writing to ask if you would be kind enough to give this bill your earliest attention, due to the hardships entailed through this continued separation.

I have operated a small business which I built in anticipation that I would have had the help of my wife in operating it, a job she did before returning to Bermuda. Operating this business and an 8-room apartment is a very difficult task without her.

Being separated causes me to make frequent expensive trips to Bermuda, because of the nervous state she is in because of this separation. I do not think the spirit and letter of the immigration laws are intended for the citizens of the United States to suffer such hardships. So, for this and many other reasons, may I respectfully request you to give this matter your earliest consideration.

Assuring that you already have my deepest appreciation and thanking you in advance for whatever you can do, I am,

Very sincerely yours,

ELTON E. BEANE.

NEW YORK 27, N. Y., *April 20, 1955.*

Re Private Bill No. 7091 (1954) and Private Bill No. 1385 (1955).

HON. EMANUEL CELLER,

Chairman of House Judiciary Committee,

House of Representatives, Washington, D. C.

HONORABLE SIR: I am writing in behalf of Mr. Elton E. Beane of this city, with respect to the above-named bills now pending before the House of Representatives of the United States Congress. These bills introduced by Congressman Adam Clayton Powell, Jr., both refer to remedial legislation permitting the entry into the United States of Myrtle Beane, wife of said Elton E. Beane.

It appears that only a superficial technicality has barred her reentry. There seems to be nothing substantial, nothing of a criminal texture or of a subversive nature involved.

Mr. Beane himself is an upstanding citizen of the United States and is well deserving of some favorable consideration to enable him to have his wife rejoin him and so reestablish his home and family ties.

I have known Mr. Beane personally for many years and know of his integrity and exemplary character and loyalty as a citizen.

For about 15 years he has been president of the Bermuda Benevolent Association, Inc., an outstanding organization in the community doing a commendable civic and charitable and benevolent work. He is prominent in religious and musical circles. And, too, he is a hard-working and reputable businessman here.

As a citizen and personal friend of Mr. Beane, I do urge you to fully support these bills and assure you of a deep appreciation should you exert your utmost to insure their enactments. I am,

Faithfully yours,

A. C. STUART WILLIAMS,
Counselor at Law.

NEW YORK 31, N. Y., *April 13, 1955.*

HON. EMANUEL CELLER,

Chairman, House Judiciary Committee,

Washington, D. C.

DEAR SIR: A bill No. 7091 was submitted in the year 1954, by Congressman Adam C. Powell on behalf of Elton Beane and his wife, Myrtle Beane. No action was taken on this bill because Congress adjourned, so another bill, No. 1385, was submitted by Congressman Powell at the opening of this session.

Mr. Beane is seeking admission to the United States for his wife and in that connection I should like to forward the following facts on their behalf:

I have known them for a number of years and have always found them to be the type of persons that would be an asset to our great country. Mr. Beane is very active in the fields of benevolence, church, music, and general betterment of our community, and as an American citizen, I should consider it a great injustice if they are compelled to be separated.

I would therefore, sir, request you to use your good office to give permission for Mrs. Beane's legal entry in the United States of America to resume her happy association with her husband, Elton Beane.

Respectfully submitted.

HERBERT THOMPSON.

NEW YORK, N. Y., *April 20, 1955.*

Re Private bill No. 7091 (1954) and private bill No. 1385 (1955)

HON. FRANCIS WALTER,

*Chairman of House Immigration Subcommittee,
House of Representatives, Washington, D. C.*

HONORABLE SIR: I am writing in behalf of Mr. Elton E. Beane of this city, with respect to the above-named bills now pending before the House of Representatives of the United States Congress. These bills introduced by Congressman Adam Clayton Powell, Jr., both refer to remedial legislation permitting the entry into the United States of Myrtle Beane, wife of said Elton E. Beane.

It appears that only a superficial technicality has barred her re-entry. There seems to be nothing substantial, nothing of a criminal texture or of a subversive nature involved.

Mr. Beane himself is an upstanding citizen of the United States and is well deserving of some favorable consideration to enable him to have his wife rejoin him and so reestablish his home and family ties.

I have known Mr. Beane personally for many years and know of his integrity and exemplary character and loyalty as a citizen.

For about 15 years he has been president of the Bermuda Benevolent Association, Inc., an outstanding organization in the community doing a commendable civic and charitable and benevolent work. He is prominent in religious and musical circles. And, too, he is a hard-working and reputable businessman here.

As a citizen and personal friend of Mr. Beane, I do urge you to fully support these bills and assure you of a deep appreciation should you exert your utmost to insure their enactments. I am,

Faithfully yours,

A. C. STUART WILLIAMS,
Counsellor at Law.

GRACE CONGREGATIONAL CHURCH,
New York, N. Y., April 14, 1955.

HON. EMANUEL CELLER,

*Chairman, House Judiciary Committee,
Washington, D. C.*

MY DEAR CONGRESSMAN CELLER: This is with reference to House bill No. 1385, submitted in 1955 with reference to the reentry into our country of Mrs. Myrtle Beane. I need not go into the details, of which you are aware. But I am anxious for you to know that as a clergyman, as well as pastor of Mr. Elton Beane and Mrs. Myrtle Beane, I have no doubt whatever about the merits of this case. It was to their minister that they first brought the details of the well-nigh tragic exclusion of Mrs. Beane, due to circumstances and tech-

nicalities of which she was unaware when she left the country. Mrs. Beane is a woman of integrity and of real ability. I have no doubt whatever that she will continue to be an excellent citizen and if permitted to enter the country again, will continue to make her wonderful community contributions to our city, through the church and other social agencies.

May I urge you, dear Congressman, to push this bill No. 1385, submitted in 1955, which is a sequel to last year's bill No. 7091, which was not acted upon because of adjournment. I am enclosing copy of a letter on the same matter to Representative Walter. With thanks for what your kind office can do in this matter, I am,

Sincerely yours,

HERBERT KING, *Minister.*

Finn Bache—H. R. 2471, by Mr. Herlong

The beneficiary is a 52-year-old native and citizen of Norway who is the husband of a citizen of the United States. He is ineligible to receive a visa to this country because of a conviction in Norway in April of 1953 for embezzlement for which he was given a 6 months' suspended sentence.

Certain pertinent facts in this case are contained in a letter dated May 13, 1955, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., May 13, 1955.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill H. R. 2471 for the relief of Finn Bache, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Jacksonville, Fla., office of this Service which has custody of those files.

The bill would provide that, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Finn Bache may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act, provided that this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of the act.

Sincerely,

_____, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE FINN BACHE, BENE-
FICIARY OF H. R. 2471

Since the beneficiary has never resided in the United States the following information concerning him was obtained from Mabel Jacobson Bache, his wife, a native-born citizen of the

United States, residing at 315 South Boulevard, Deland, Fla.

The beneficiary was born April 6, 1903, in Oslo, Norway, of which country he is a citizen. He presently resides at Studenterhjemmet Hotel, Underhaugswegen 15, Oslo, Norway, and is believed to be unemployed. However, his usual occupation is that of a bookkeeper. He is a high-school graduate and has attended a commercial college in Norway. It is not believed that he has any income or assets. There are two married sisters, names unknown, who are the only close family relations known to Mabel Jacobson Bache, both of whom reside in Norway. His parents are believed to be deceased. Mabel Jacobson Bache asserted that the beneficiary is a democratic-minded person and free from subversive traits.

While on a visit to Sweden in 1952 Mabel Jacobson Bache met the beneficiary where she associated with him for several weeks before returning to the United States. She went to Oslo, Norway, in 1954 where she married the beneficiary on March 9, 1954.

Mabel Jacobson Bache could furnish little information concerning the inadmissibility of the beneficiary to the United States, or details of his criminal record. She did state that he told her prior to their marriage that he had been arrested in early 1952 relative to the disappearance of funds belonging to his employer, and that as a result he was convicted and given a 6 months' suspended sentence.

The beneficiary's spouse filed petition for issuance of an immigrant visa which was approved April 16, 1954.

It is suggested that the committee may wish to communicate with the Visa Office of the State Department for information concerning the beneficiary's criminal record abroad.

The Director of the Visa Office, Department of State, also submitted a report on this case, as follows:

DEPARTMENT OF STATE,
Washington, April 6, 1955.

The Honorable EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives.

DEAR MR. CELLER: Reference is made to your letter of March 1, 1955, and its enclosures, wherein you requested a report of the facts in the case of Finn Bache, beneficiary of H. R. 2471, 84th Congress, 1st session.

On January 12, 1954, the American consulate general at Goteborg reported as follows:

"The applicant, Finn Bache, was refused a visa under section 212 (a) (9) of the Immigration and Nationality Act, having been convicted of the crime of embezzlement on April 10, 1953. A translation of the police report is attached. Mr. Bache admitted to officers of the consulate general that he had been guilty of embezzlement, stating that the amount involved was SKr2,000 (\$385). His probationary officer stated, however, that the amount was SKr11,000 (\$2,115).

At any rate, the crime of embezzlement clearly constituted one involving moral turpitude, and Mr. Bache was refused a visa for that reason."

There is enclosed a copy of a certified English translation of the sentence passed on Mr. Bache on April 10, 1953, by the city court at Gothenburg.

Sincerely yours,

ROLLAND WELCH,
Director, Visa Office
(For the Secretary of State).

Enclosure: Court sentence.

Journal No. B 302/1952.
Judgment No. B 122/1953.

GOTHENBURG CITY COURT

Fifth Department A

Stamped: Kr. 20.-

JUDGMENT

Given on April 10th, 1953, at the City Hall in Gothenburg

Parties:

Plaintiff: Rolf Seevers, Public Prosecutor.

Defendant: Norwegian citizen, steward assistant Finn Bache,
Wallins Pension, Berzeligatan 19, Gothenburg.

The Public Prosecutor has pleaded that Bache is liable in accordance with chapter 22, section 3 of the Penal Code for gross embezzlement claiming as follows: On various occasions during the years 1951 and 1952 in the employment of A. B. Nordisk Resebureau at the firm's office in the house Hotellplatsen 2 in Gothenburg, Bache has appropriated and used for his own account in all Swedish kronor 11,071 and 10 øre, for which amount he was under the obligation to render an account to the firm which on account of his procedure was caused damage. With the object of making discovery more difficult, Bache one day in May 1952 removed and destroyed a stub remaining in a receipt-book with notes regarding payment made to the firm. In view hereof and the size of the amount, the breach is considered to be a gross offence.

Bache has admitted the act, and the admission is supported by other circumstances in the case.

The City Court find that what Bache has laid himself open to blame for comprise gross embezzlement.

The City Court sentence Bache in accordance with chapter 4, sections 1 & 2, as well as chapter 22, section 3 of the Penal Code to penal servitude for 6 months for gross embezzlement.

The City Court direct in accordance with the law regarding conditional judgment, that the execution of the punishment is conditionally to be deferred. During a trial period of three years, Bache is to be

placed on probation. As Probation Officer the City Court appoint Gøsta Dettberg, Superintendent, Skyddsvärnet, Gothenburg.
Kr. 2.—(stamped).

LAGE SAMUELSON
/JOHAN VON SYDOW.

It is certified that this copy is in accordance with the documents filed in the City Court.

ex officio:
Jo HUFELDT (Sgd.)

It is certified that this judgment has not been appealed within the time limit stipulated by the law.

Gothenburg City Hall, October 26th, 1954.

ex officio:
Jo HUFELDT (Sgd.)

Stamped: Kr. 1.—
Fee Kr. 1.—

Total Kr. 2.—

THE SUPERINTENDENT OF POLICE IN Gothenburg

D. D. III/B/1953.
B.R.

It is hereby stated that Finn Bache, Norwegian citizen born in Oslo, Norway, on the 6th April, 1903, registered and living at Berzeliigatan 19, c/o. Wallin, in the Parish of Vasa, Gothenburg, has not been sentenced, as far as is known, for any infringement of the Swedish law other than on the 10th April, 1953, when he was sentenced to 6 months' penal servitude for gross embezzlement, by the Gothenburg City Court, which sentence was conditionally deferred.

Gothenburg Police Headquarters, 9th July 1953.

Sgd. Ernst Fontell.

Gothenburg Police Headquarters.

Stamps affixed and cancelled.

Fee: kr.2.—.

Stamp: kr.1.—.

kr.3.—.

Mr. Herlong, the author of H. R. 2471, appeared before a sub-committee of the Committee on the Judiciary and recommended the favorable consideration of his bill. Mr. Herlong also submitted the following letters in support of his bill:

OSLO, June 9, 1955.

Hon. A. S. HERLONG, Jr.,

House of Representatives,

Washington, D. C.

DEAR MR. HERLONG: Yesterday afternoon I received a letter from my wife, telling me of the interview you were good enough to grant her on De Land Airbase on Monday last week, and enclosing copies:

of the reports and memorandums referring to my case in the Judiciary Committee of the House of Representatives, which were handed to her by your good self.

I am writing you immediately to comment on the above-mentioned reports, and to explain the apparent discrepancy in the figures in question.

In the first place I want to emphasize the fact that what I stated in my letter to you of April 22 last year is the honest truth. It was the circumstances in connection with the amount of Swedish kroner 2.500 (actually 2.521.70 equals \$500) that brought about all this misery. I did not realize at the time, and still don't, that the Skr21.70 were of any importance. The figure of 2.500 is the amount I have mentioned to the officials at the United States consulate general in Gothenburg and the United States Embassy here, and always Swedish kroner, for which the rate of exchange to the United States dollar is 5.05. (I could not swear to the number of øre (one-hundredth krona), though.) If the young man at the Embassy here made the mistake of converting the sum of Swedish kroner into the equivalent sum in United States dollars at the rate of exchange for Norwegian kroner (which is 7.12), I can't see how I can be blamed for that. I never swore to any such amount in dollars, as the sum I have mentioned all the time is Swedish kroner 2.500. I regret having to admit that I did not include the Skr21.70.

This sum of Skr2,521.70 added to Skr8,549.40 makes Skr11,071.10, and the appearance of the latter amount in the court record I shall explain below.

About 1 year and 1 month before this to me so catastrophic incident I had an affair with the firm in which the sum of Skr8,549.40 was involved. When called upon to restore the amount I paid it in at once, and the episode was forgiven and forgotten.

Imagine my surprise and perturbation when that affair was brought to the notice of the police. I pleaded that that affair was ended and closed, but was told that it was included in the firm's statement, and, therefore, "subject to public prosecution." At the end of the hearing, during which I contested that the "firm [which] on account of his procedure was caused damage" (as stated in the court record), seeing that everything was paid in; and pleaded "not guilty" to having committed gross embezzlement, even the public prosecutor stated that he would have no objection to any sentence being made suspended. The trial period of 3 years on probation was revoked as from March 1, 1953, after only less than 11 months, confirmed by the probation officer, Mr. Detterborg's letter, which is in your possession.

As to the curious "Memorandum of information from Immigration and Naturalization Service files," I beg to state I am not unemployed. My usual occupation is not that of a bookkeeper but that of senior booking clerk, of which term I do not know the American equivalent. For the time being I hold a temporary job as supervisor of the clerical work connected with the transfer of a privately owned hydroelectric powerplant to a municipality in the neighborhood of Oslo. I did not only attend a commercial college, but after 3 years' studies I passed my full examinations and was graduated from Oslo Handelsgymnasium (Commercial College) with the mark "very good." My parents are not believed to be deceased, but they have passed away.

For that I am grateful, for the reason that they were spared to grieve at my disgrace. This is what my wife must have told the investigating officer.

I am not a crook or a criminal, not "a bad egg," as the saying goes, and I had hoped that the letters of recommendation from my friends and some officials would convince the men in power of that. And anybody who knows my lovable wife would understand that she could not marry a criminal, nor could she honor a bad man with her love. After we met the first time we were separated for almost 2 years before we married, so we have proved to ourselves and to the world that we belong. We only hope and pray that the men who shall decide in the matter will realize that they hold in their hands the destiny of two decent people in love, whose only wish is to be allowed to live together happily as husband and wife. As the husband concerned I admit having made my mistakes, which I have atoned for and have had time to repent. My beloved wife's limitless loyalty and affection have carried us along, and at my doubts whether she would have gone through all this unpleasantness in connection with a husband failing to turn up (although through no reluctance on his part to do so), and being investigated by immigration officials, if she had known all this before our marriage, she avows that she would, and insists on the right of every individual to fight for happiness and a harmonious marriage. To contribute my part toward attaining this I am willing to give up everything here, without the slightest hesitation, and emigrate to a foreign country overseas to settle down there and find work in which my education and experience can be put to use, so that my beloved wife's more than 30 years' workday for the Government may be ended and she may spend the rest of her days in retirement in a happy married life.

Was my offense then so great that it could be cause enough to prevent my lovable wife and me from sharing our lives in her country? It is our sincere hope that the men who are deciding will consider our case favorably, and in their magnanimity waive the provisions of the letter of the law, thereby making two human beings happy, and with no unpleasant consequences for the Nation whose safety they are chosen to protect. My wife and I are not so young any longer and consider every month, week, and day spent apart as empty and wasted, which I am sure everybody will understand.

For your kindness and understanding we shall always be in your debt, and for your invaluable help we are more grateful than I can express it. As you know my lovable wife you can no doubt understand my feelings for her, whom it is my only aim to try to make happy for the rest of her life by my side.

Sincerely yours,

FINN BACHE.

GOTHENBURG, *January 24, 1955.*

HON. A. S. HERLONG, Jr.,
House of Representatives,
Washington, D. C., U. S. A.

DEAR SIR: As a former colleague of Mr. Finn Bache of Oslo, I hereby declare having known him since he entered the service of the firm in which I work, and became a friend of his.

As he has now married an American citizen and wants to join her in Florida it is with pleasure that I give him my best recommendation for an immigration visa; I understand that his difficulty in obtaining this the regular way was due to his misdemeanor. I hope, however, that a legal technicality shall not prevent him from joining his wife and live happily together with her in the United States, and with your kind assistance I am confident that the outcome of his appeal will be a favorable one.

I do not hesitate expressing my firm conviction that Mr. Bache will be a good respectable citizen.

I am, dear sir, yours,

DAGMAR ENANDER,
Chief of Ticket Issuing Department,
A. B. Nordisk Resebureau, Gothenburg, Sweden.

OSLO, January 10, 1955.

Hon. A. S. HERLONG, Jr.,
House of Representatives,
Washington, D. C., U. S. A.

DEAR SIR: As a friend of Mr. Finn Bache of this city, I know about his endeavors to obtain a United States immigration visa, and that you are giving him your valuable assistance by being willing to introduce a bill in Congress with a view to waive the provisions of the present immigration laws under which he seems not be to eligible for a visa in the regular way.

I have known Mr. Bache for a long period of years, and his having committed an offense has not changed his position in my esteem. He certainly has suffered for his misdemeanor, and I think it to be hard lines on him if his offense should be cause enough to prevent him from joining his sweet wife, whom I had the privilege of meeting during her visit here in March last year when she honored Mr. Bache by becoming his wife.

From my good knowledge of him during these years of friendship I can give him my best recommendation, and I have not the slightest doubt that he will be a decent, respectable citizen by his lovable wife's side.

Hoping that his efforts, with your valuable help, will have a favorable outcome and thus ensure the happiness of two nice people, I would like to add my thanks for your understanding and willingness to handle his case at the proper quarters.

Sincerely yours,

SVEN DALHOLST.

THOS. COOK & SON,
Oslo, December 18, 1954.

Hon. A. S. HERLONG, Jr.,
House of Representatives,
Washington, D. C., U. S. A.

DEAR SIR: It is with pleasure I have learned that you are willing to give Mr. Finn Bache your valuable help by introducing a bill in Congress and thereby try to obtain an immigration visa for him through an act of Congress, as his offense seems to make him in-

eligible for a visa according to the interpretation of the present immigration laws by your local consular representation.

For about 30 years I have been Mr. Bache's friend, and at his wedding here I was given the honor of acting as his best man. During these many years I have learned to know him thoroughly, and it is a pleasure to me to give him my best recommendation and every moral support in his efforts to obtain an immigration visa. He has suffered for his offense and has atoned for it, and his only wish is now to be allowed to join his lovable wife and start a new life with her. It is a pity if his misdemeanor should be a bar to his entering the United States, but I trust that the United States Congress will feel justified in granting the visa upon which the happiness of two decent people depends.

Thanking you for your kind help in the matter, which I am confident will come out favorably, I beg to remain,

Sir,

Yours sincerely,

E. MULLER LUND,
Assistant Manager.

George Tyson Campbell.—H. R. 927, by Mrs. Frances P. Bolton

The beneficiary is a 33-year-old citizen of Great Britain who was born in Jamaica, British West Indies. He first entered the United States in 1945 as an industrial laborer under the identity of another person. He is married to a United States citizen and is the father of two native-born citizen children. He voluntarily departed from the United States in October 1953 and made application for a visa to enter the United States as a nonquota immigrant, but his application was refused under the provisions of section 212 (a) (19) of the Immigration and Nationality Act because he misrepresented material facts in connection with his first entry into the United States.

Certain pertinent facts in this case are contained in a letter dated June 24, 1954, from the Commissioner of Immigration and Naturalization to the then chairman of the Committee on the Judiciary, regarding a bill pending during the 83d Congress (H. R. 8471) for the relief of the same person. That letter and accompanying memorandum read as follows:

JUNE 24, 1954.

HON. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 8471) for the relief of George Tyson Campbell, there is attached a memorandum concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Buffalo, N. Y., office of this Service, which has custody of these files.

The bill is intended to authorize the alien's admission to the United States for permanent residence notwithstanding the provision of section 212(a)(19) of the Immigration and Nationality Act if he is found to be otherwise admissible under the provisions of that act.

Sincerely,

_____, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE GEORGE TYSON CAMP-
BELL, BENEFICIARY OF H. R. 8471

George Tyson Campbell, a citizen of Great Britain, was born on July 30, 1922, in Jamaica, British West Indies. He first entered the United States on February 7, 1945, under the name of Ernest Lembhard when he was admitted as an industrial laborer for a period to expire December 31, 1945. A warrant of arrest in deportation proceedings was issued on September 6, 1950. However, the beneficiary departed voluntarily from the United States on October 7, 1953, and is presently residing at 154 King Street, Jamaica, British West Indies.

The beneficiary testified that he cohabitated with one Lottie Simms in Cleveland, Ohio, from September 1945, to January 1947. There was a child as a result of this union and the beneficiary was ordered by the court to pay \$35 a month to support it. On May 30, 1947, the beneficiary married one Dorothy Harris, a native-born United States citizen. They have two children, both born in Cleveland, Ohio. Mrs. Campbell and her two children reside in Cleveland, Ohio, and are under the care of the county welfare department. While in the United States, Mr. Campbell was employed at the Western Reserve University School of Medicine, Cleveland, Ohio, as a laboratory assistant with pay of approximately \$285 per month.

The beneficiary was refused a nonquota immigrant visa on December 7, 1953, under the provisions of 212 (a) (19) of the Immigration and Nationality Act. Mr. Campbell admitted to the American consulate, Jamaica, British West Indies, that he was medically examined, photographed, and fingerprinted in the name of Ernest Lemhard, another person, and entered the United States at New York, N. Y., on February 7, 1945, with documentation that concealed his true identity.

The Director of the Visa Office, Department of State, also submitted a report on the 83d Congress bill for the relief of Mr. George T. Campbell, which reads as follows:

DEPARTMENT OF STATE,
Washington, April 1, 1954.

HON. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives.

MY DEAR MR. REED: Reference is made to your letter of March 24, 1954, and its enclosures, wherein you request a report of the facts in the case of Mr. George Tyson Campbell, beneficiary of H. R. 8471, 83d Congress, 2d session.

According to a communication received from the American consulate general at Kingston, Mr. Campbell was medically examined, photographed, fingerprinted, and documented in the name of his friend, Mr. Ernest Lemard, prior to his entry into the United States at New York, N. Y., on February 7, 1945, as a Jamaican farmworker. In doing so he concealed his true identity. He had failed in his own

efforts to obtain selection and documentation in his own right because his application was made too late for selection. He did not avail himself of an opportunity to apply at the next recruiting session. His action was with the intent to proceed to the United States without regard to the regulations and procedures established by the Jamaican Government for the selection and documentation of farmworkers.

Section 212 (a) (19) of the Immigration and Nationality Act renders ineligible to receive a visa and excludable from the United States any alien who seeks to procure, or has sought to procure, or has procured, a visa or other documentation, or seeks to enter the United States by fraud, or by willfully misrepresenting a material fact. As a consequence, the responsible consular officer would have no choice under the law but to continue to withhold the issuance of an immigrant visa to Mr. Campbell.

At this time the Department has no knowledge of any factor in Mr. Campbell's case, other than the information hereinbefore cited, which would render him ineligible to receive an immigrant visa. However, it should be borne in mind that any other ground of ineligibility which may come to light prior to visa issuance would preclude Mr. Campbell from receiving a visa.

Sincerely yours,

EDWARD S. MANEY,
Director, Visa Office
(For the Secretary of State).

Mrs. Bolton, the author of H. R. 927, appeared before a subcommittee of the Committee on the Judiciary and testified as follows:

Mr. Chairman, members of the committee, may I take this opportunity to thank you for scheduling a hearing this morning on my bill for George T. Campbell. I believe sincerely that this is a meritorious case and it is my hope that you will consider it favorably.

The brief facts are as follows: George Tyson Campbell, a citizen of Great Britain, was born July 30, 1922 in Jamaica, British West Indies. He first entered the United States as an industrial laborer on February 7, 1945. At that time he came in under the name of a friend, one Ernest Lembhard.

On October 7, 1953 he departed voluntarily from the United States and is presently residing at 154 King Street, Jamaica, British West Indies. He has been refused a non-quota immigrant visa because he originally entered the United States under fraudulent circumstances.

On May 30, 1947 George Campbell married Dorothy Harris, a native-born United States citizen. They have two children, both born in Cleveland, Ohio. At present, Mrs. Campbell and the two children are living in Toledo, Ohio. She is receiving Ohio State mother's relief checks.

While in the United States Mr. Campbell was employed by the Western Reserve University School of Medicine as a laboratory assistant. The university is anxious for him to return to the United States as they need his services.

I have a letter from Dr. Douglas D. Bond, professor of psychiatry at the university which states in part:

"While Mr. Campbell did break the law in entering the United States illegally, his skills, high intelligence, and

subsequent exemplary behavior have been such as to demonstrate his fitness to become a good and very useful citizen of our country. During his stay in the United States he demonstrated skills and talents which are badly needed in medical research. In our current work on the brain and on the vexing and urgent problems of mental illness, Mr. Campbell's qualifications and skills would be of inestimable help. If he is allowed to enter this country, he would join our research group."

I shall file Dr. Bond's letter with you for your use.

It is my hope that favorable action will be taken on H. R. 927. By passing this bill, we will be able to get a needed father back to his wife and two children; a needed worker back to the research laboratory of the Western Reserve University Medical School; and stop the payment of Ohio State mother's relief for three persons.

Mrs. Bolton also submitted the following letters in support of her bill:

WESTERN RESERVE UNIVERSITY,
THE SCHOOL OF MEDICINE,
Cleveland, Ohio, March 10, 1956.

HON. FRANCES PAYNE BOLTON,
House Office Building, Washington, D. C.

MY DEAR MRS. BOLTON: It is my understanding that your committee will shortly consider a private bill in behalf of George Campbell, a Jamaican, who is seeking reentry into the United States. Mr. Campbell apparently entered the United States under an assumed name. I would like to add my plea to those of others who have written in behalf of this very fine and worthy young man.

While Mr. Campbell did break the law in entering the United States illegally, his skills, high intelligence, and subsequent exemplary behavior have been such as to demonstrate his fitness to become a good and very useful citizen of our country. During his stay in the United States he demonstrated skills and talents which are badly needed in medical research. In our current work on the brain and on the vexing and urgent problems of mental illness, Mr. Campbell's qualifications and skills would be of inestimable help. If he is allowed to enter this country, he would join our research group.

It is probably known to you that Mr. Campbell voluntarily brought his illegal entry to the attention of the immigration authorities. He married an American citizen and was a fine father to the two sons born of this union. Since he has been gone from this country his wife and sons have been supported by public relief agencies. Largely due to Mr. Campbell's efforts, these two boys were being reared in a manner which would insure their becoming useful citizens; in his absence they are a current, and probably future, liability to the community.

I hope that these facts will serve to outweigh the single wrongdoing committed by this very worthy young man who, I am certain, can be a good and very valuable citizen of our country if he is given the opportunity.

Many thanks.

Sincerely,

DOUGLAS D. BOND, M. D.,
Professor of Psychiatry.

UNIVERSITY HOSPITALS OF CLEVELAND,
March 14, 1955.

Hon. FRANCES P. BOLTON,
Federal Office Building,
Cleveland, Ohio.

DEAR MRS. BOLTON: This letter is to certify that the services of George Campbell as a highly trained technician is greatly desired by the School of Medicine, Western Reserve University. He can obtain employment at the school of medicine immediately upon the establishment of permanent residence in the United States.

I want to thank you for both your interest and your effort in this issue.

Sincerely yours,

DOUGLAS D. BOND, M. D.,
Professor of Psychiatry.

Aldo Alvarez—H. R. 2489, by Mr. Klein

The beneficiary is a 31-year-old native and citizen of Cuba who is the husband of a United States citizen, and the father of one United States born child. He first entered this country as a visitor in 1949 and reentered the same year using the passport and identity of his brother. For that reason he has been found excludable under the provisions of the Immigration and Nationality Act.

The pertinent facts in this case are contained in a letter dated June 25, 1954, from the Commissioner of Immigration and Naturalization to the then chairman of the Committee on the Judiciary, regarding a bill (H. R. 7009) pending during the 83d Congress for the relief of the same person. That letter and accompanying memorandum read as follows:

JUNE 25, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington 25, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 7009) for the relief of Aldo Alvarez, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files. According to the records of this Service, the complete name of the beneficiary is Aldo Alvarez Castellanos.

The bill would exempt the beneficiary from the provisions of section 212 (a) (19) of the Immigration and Nationality Act, which excludes from admission to the United States aliens who have procured a visa or other documentation by fraud, or by willfully misrepresenting a material fact. The bill does not specifically limit the applicability of the exemption to grounds for exclusion of which the Department of Justice or the Department of State has knowledge prior to the date of enactment.

Sincerely,

_____, Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE ALDO ALVAREZ, BENE-
FICIARY OF H. R. 7009

Aldo Alvarez Castellanos, a native and citizen of Cuba, was born in Regla, Havana, Cuba, on May 7, 1924. He first entered the United States as a visitor in 1946, and departed in 1949, while under investigation relative to his illegal immigration status. On February 13, 1949, he reentered the United States as a visitor in possession of a passport and nonimmigrant visa issued in favor of his brother, Horacio Alvarez Castellanos. After having been apprehended by this Service and accorded hearings in deportation proceedings, the beneficiary was granted voluntary departure privileges. Throughout the proceedings, and at the time of his departure to Cuba on September 7, 1952, the alien continued to hold himself out as his brother, Horacio Alvarez Castellanos. Thereafter in November 1952, in connection with an application for a nonimmigrant visa at Havana, Cuba, the alien admitted the prior deception as to his true identity and, consequently, was denied such visa. As now, the beneficiary was then seeking to join his United States citizen spouse, Luisilia Alvarez, in New York City, where she resides with their minor citizen child, Aldo Alvarez, Jr. The couple had married in New York, N. Y., on October 16, 1949.

According to the testimony furnished this Service by the beneficiary's wife, who is the sponsor of H. R. 7009, Mr. Alvarez has been residing in his parents' home, Cespedes 15, Regla, Havana, Cuba, since September 1952. She has stated that he has not been gainfully employed during that period due to employment conditions in his native country. Mrs. Alvarez, who lives in the New York City apartment of her sister and is employed as a secretary in a New York City law office, reportedly assists her husband financially to supplement the assistance received by him from his parents. While in the United States, from 1949 to 1952, the beneficiary was employed as a cook and counterman at the Royal Bar and Grill, 125 Spring Street, New York, N. Y., where he earned approximately \$50 per week. Assets of Mr. and Mrs. Alvarez consist of furniture, clothing, and personal effects of undetermined value, together with property holdings of Mrs. Alvarez in Cabo Rojo, Puerto Rico, with an estimated value of \$2,000. Both parties have attained a high school education or its equivalent.

The committee may desire to request the Bureau of Security and Consular Affairs, Department of State, to secure information in connection with the admitted impersonation of his brother by the beneficiary before consular authorities at Havana, Cuba.

The Department of State also submitted a report on this case, as follows:

DEPARTMENT OF STATE,
Washington, February 26, 1954.

The Honorable CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives.

MY DEAR MR. REED: Reference is made to previous correspondence relative to the case of Mr. Aldo Alvarez, beneficiary of H. R. 7009, 83d Congress, 2d session.

A communication has now been received from the American Embassy at Havana, which reports that Aldo Alvarez Castellanos, a citizen of Cuba, first entered the United States for 29 days on September 19, 1946, and remained until January 19, 1949. Since he had been illegally in the United States for more than 2 years and feared that he would not again be admitted as a temporary visitor, he used a passport which he obtained in the name of his brother, Horacio Alvarez Castellanos, to reenter the United States on February 13, 1949, for a 29 day period. He remained in the United States until September 7, 1952, when he was granted voluntary departure by the Immigration and Naturalization Service under the name of Horacio Alvarez Castellanos. He was married on October 16, 1949 to an American citizen, Luisilia Montalvo.

It is further reported that Mr. Alvarez was informally refused an immigrant visa at the Embassy on January 8, 1953, under the provisions of section 212 (a) (19) of the Immigration and Nationality Act. This section of law renders ineligible to receive a visa and excludable from the United States any alien who seeks to procure, or has sought to procure, or has procured a visa or other documentation, or seeks to enter the United States by fraud, or by willfully misrepresenting a material fact.

At this time the Department has no knowledge of any factor in Mr. Alvarez's case, other than the information hereinbefore cited, which would render him ineligible to receive an immigrant visa. However, it should be borne in mind that any other ground of ineligibility which may come to light prior to visa issuance would preclude Mr. Alvarez from receiving a visa.

Sincerely yours,

EDWARD S. MANEY,
Director, Visa Office
(For the Secretary of State).

Mr. Klein, the author of H. R. 2489, submitted the following letter and statement in support of this legislation:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 12, 1956.

Re H. R. 2489, for the relief of Aldo Alvarez.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington 25, D. C.

DEAR MR. CHAIRMAN: Reference is made to the above-captioned measure which has been docketed for consideration by subcommittee No. 1.

Your files will indicate that a medical certificate was submitted to the committee attesting to the mental and physical strain being placed on the American citizen wife and child of the alien because of their enforced separation. I am informed that the condition continues to be aggravated and it is feared that further separation may have irreparable effects upon the child.

It is my sincere hope that the committee may be able to bring this measure up for consideration very soon and accord it favorable consideration in order that this family may be reunited and lead a normal, healthy American life.

Please keep me advised as to the date and place of hearing so that I may make arrangements to be present.

With many thanks and kind regards, I am

Sincerely,

ARTHUR G. KLEIN,
Member of Congress.

RE H. R. 7009, FOR THE RELIEF OF ALDO ALVAREZ

STATE OF NEW YORK,

County of New York, ss:

Luisilia Alvarez, being duly sworn, deposes and says:

I am an American citizen and the wife of Aldo Alvarez, for whose relief the above bill has been introduced.

I was born on April 1, 1928, at Puerto Rico. My father, Don Antonio Montalvo, was born in and about 1871 at Puerto Rico and my mother, Aurora Montalvo (nee Ramirez), was born in or about October 1891 in Puerto Rico. My father and mother were legally married in and about 1909 at Puerto Rico.

My husband, Aldo Alvarez, is a citizen of Cuba and born on May 7, 1924. He presently resides at Cespedes 15, Regla, Cuba.

My husband first entered the United States for 29 days on September 19, 1946, and remained until January 19, 1949. During that time I met Aldo Alvarez and we fell in love with each other.

When Aldo Alvarez returned to Cuba, it was for the purpose of straightening out his affairs and with the full intention of coming back to the United States to marry me. In order to return to the United States, because he had overstayed his 29 days when he was first here, he used his brother, Horacio Alvarez's passport, to reenter the United States on February 13, 1949.

Subsequently and on October 16, 1949, I married Aldo Alvarez in the city of New York. As a result of said marriage a child was born to your petitioner and Aldo Alvarez in the city of New York on May 13, 1952. Aldo Alvarez returned to Cuba in September 1952. Application for readmission to the United States by Aldo Alvarez and by everybody else on his behalf, has been refused because he had entered the United States under his brother's passport.

All investigations indicate that Aldo Alvarez has an unimpeachable record. There has been submitted on his behalf a good conduct certificate issued by the Police Department of the City of New York and affidavits to the effect that he would not become a public charge if readmission were granted to him.

I am desirous of having my husband return to New York to live with my baby and me as a family unit. I am gainfully employed and there is no possible chance of Aldo Alvarez becoming a public charge. It is natural that the family unit be reunited and life continue together.

To that effect I respectfully request that a petition for an immigration visa be issued to my husband Aldo Alvarez.

LUISILIA ALVAREZ.

Sworn to before me this 19th day of March 1954.

OSCAR GONZALEZ-SUAREZ,
Notary Public in the State of New York.

Commission expires March 30, 1954.

Colin Noyes Clinch-Jones.—H. R. 3642, by Mr. Pelly

The beneficiary is a 67-year-old citizen of Canada who was born in England. He presently resides in Mexico with his United States citizen wife, their native-born United States citizen child, and a step-child who is also a native-born United States citizen. He is ineligible to receive a permanent visa to the United States because of convictions for crimes involving moral turpitude and because he has been deported from the United States on one occasion.

Certain pertinent facts in this case are contained in a letter dated May 6, 1955, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., May 6, 1955.

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request to the Department of Justice for a report relative to the bill (H. R. 3642) for the relief of Colin Noyes Clinch-Jones, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Seattle, Wash. office which has custody of those files.

The bill would provide for the beneficiary's admission to the United States by exempting him from the excluding provisions of section 212 (a) (9) and section 212 (a) (17) of the Immigration and Nationality Act, which excludes from the United States those aliens who have been convicted of or admit the commission of a crime involving moral turpitude and those who have been previously deported.

As the husband of a United States citizen the beneficiary is entitled to nonquota status in the issuance of an immigrant visa.

Sincerely,

Commissioner.

The Director of the Visa Office, Department of State, also submitted a report on this case, as follows:

DEPARTMENT OF STATE,
Washington, October 26, 1955.

HON. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives.*

DEAR MR. CELLER: Reference is made to your letter of March 3, 1955, and its enclosures, wherein you requested a report of the facts in the case of Mr. Colin Noyes Clinch-Jones, beneficiary of H. R. 3642, 84th Congress, 1st session.

On September 9, 1955, the Department received a report from the American Embassy at Mexico City in which a copy of the alien's police record was enclosed. However, the police record contained insufficient information upon which a determination could be made in regard to the alien's ineligibility to receive a visa under section 212 (a) (9) of the Immigration and Nationality Act. In addition, upon the basis of the police record, the question also arose as to whether or not the alien would be ineligible to receive a visa under section 212 (a) (10) of the act. Therefore, the Department requested that the Embassy have the alien obtain a copy of the charges forming the basis of his conviction, the provisions of law in full under which such charges were predicated, and the judgment of the court. The Embassy, in a communication dated October 5, 1955, reported that it did not know the present whereabouts of the subject alien. However, it was stated that should the alien return to the Embassy, he would be requested to provide the information that the Department desired.

You may rest assured that upon the receipt of any further information from the Embassy pertaining to Mr. Clinch-Jones' case, I shall communicate again with you.

Sincerely yours,

ROLLAND WELCH,
Director, Visa Office.

Mr. Pelley, the author of H. R. 3642, submitted the following statement in support of this measure:

STATEMENT BY REPRESENTATIVE THOMAS M. PELLEY IN SUPPORT OF H. R. 3642 (FOR THE RELIEF OF COLIN NOYES CLINCH-JONES)

I appreciate the privilege the committee has given in allowing my assistant, Mr. Ray Hibbard, to appear in my behalf, due to my absence from the city on official business at the time of this hearing, in support of H. R. 3642, for the relief of Colin Noyes Clinch-Jones.

My interest in this particular case is not so much in having an alien given permanent residence in this country, but is more in behalf of a one-time resident of Seattle, Mrs. Colin Noyes Clinch-Jones, an American citizen, and her American-born children. One son, who will reach the age of 2 years on April 18, 1956, due to an injury at birth, is at present time in need of constant orthopedic treatment and will continue to need this medical care throughout its growing years.

The following facts pertinent to the case, in my opinion, merit the favorable consideration of this committee are pointed up:

The beneficiary of this measure, Colin Noyes Clinch-Jones, is 67 years old. He has over 40 years of residence in the United States and for all intents and purposes—this is his country.

The beneficiary of this bill has 8 United States citizen children, 1 of which served in the United States Navy and 1 is presently in the United States Air Force. Mr. Clinch-Jones, himself, volunteered and served in the Canadian Army during World War I.

The separation of the beneficiary from his family is resulting in extreme hardship on his wife and two minor children. I believe the record of this case will reveal that Mrs. Clinch-Jones displayed a commendable loyalty to her husband when she accompanied her husband into exile in a foreign country in early 1954 when he elected to depart voluntarily. In July 1955, Mrs. Clinch-Jones and the two children returned to the United States due to financial difficulties beyond her control in order to seek employment. At the present time, she is employed by Jack Baskin, Inc., a construction firm, as a stenographer at a salary of \$300 per month. Out of her take-home pay of \$63 per week, she is compelled to pay \$20 weekly for a babysitter. In October 1955, the husband proceeded to Tia Juana, Mexico, for the purpose of trying to cross the border to have his visa renewed. This was not permitted by the United States and on the day of his arrival, he was apprehended and held in custody until approximately March 9, 1956, when he was taken by the Mexican immigration authorities to Mexico City for deportation in about 10 days to England.

Mrs. Clinch-Jones has been endeavoring to obtain documents in connection with his conviction from the superior court in Los Angeles requested by the American Embassy in Mexico City. She informed me by telephone on March 16 that she had not been able to pay the fee required to secure the information.

I am attaching to this statement a file which embodies a score of testimonial recommendations by reputable citizens in the community in which the beneficiary resided both before and subsequent to his conviction. The tenor of the testimonials would indicate that basically Mr. Clinch-Jones was to a large extent a victim of circumstance. It is hoped that the committee in analyzing and studying this file will note that there is no effort on his part to minimize his offense which I believe will incline the distinguished members of this committee to a more lenient attitude as compared to a possible normal reaction to the cold facts of his offenses and conviction as reported by the Department of Justice.

It will be noted by the committee also that in one instance, November 19, 1952, the father entered this country to sign papers for his son to serve in the Armed Forces. (See letter of June 9, 1953, from Marjorie Jones, wife of the beneficiary, to the President of the United States.)

In conclusion, I hope the committee will join me in my decision after careful consideration of this case, that allowing this family to be reunited will be an act of humanitarianism which will have a definite effect in the future on the lives of a mother and her children, who need the support and companionship of a husband and father. Mr. Clinch-Jones receives \$100 a month under the Social Security Act which, in addition to any employment he might be able to obtain, could be applied with the salary of his wife to the support and upkeep of his family.

I respectfully request that each member of this committee carefully consider the merits of the case with particular reference to the following aspects: (1) Years of residence in this country, (2) minor child injured at birth not presently receiving imperative orthopedic treatment which it will continue to need for a number of years, (3) beneficiary is the father of 8 United States-citizen children, 2 of which served in the Armed Forces, and finally, the separation of husband from wife and family. I sincerely hope that the members of this committee will not follow the Biblical line and visit the sins of this father upon his children, but rather share my views that this family should not be separated.

Edson Rhodes Mills—H. R. 1374, by Mr. Powell

The beneficiary is a 28-year-old Jamaican husband of a United States citizen who is the father of 2 native-born citizen children. He was admitted to the United States as an agricultural laborer in 1949, using the identity and documents of another person, and departed from the United States under order of deportation in 1953.

The pertinent facts in this case are contained in a letter dated July 21, 1954, from the Commissioner of Immigration and Naturalization to the then chairman of the Committee on the Judiciary, regarding a bill (H. R. 8556) pending during the 83d Congress for the relief of the same person. That letter and accompanying memorandum read as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington 25, D. C., July 21, 1954.

HON. CHAUNCEY W. REED,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 8556) for the relief of Edson Rhodes Mills, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files. According to the records of this Service the correct name of the beneficiary is Edson Rhoden Mills.

The bill would waive the excluding provisions of section 212 (a) (19) of the Immigration and Nationality Act with respect to the alien's previous procurement of a visa by fraud and willful misrepresentation

of material facts, and would authorize his admission for permanent residence if he is found to be otherwise admissible under the provisions of that act.

It should be noted that the bill as drawn does not specifically exempt the beneficiary from the provisions of section 212 (a) (17) of the stated act with respect to the necessity for obtaining permission to reapply for admission to the United States after deportation.

Sincerely,

_____, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE EDSON RHODE MILLS,
BENEFICIARY OF H. R. 8556

According to the records of this Service the correct name of the beneficiary is Edson Rhoden Mills. The beneficiary, a native and citizen of Jamaica, British West Indies, was born in Clarendon, Jamaica on March 12, 1927. He arrived in the United States at West Palm Beach, Fla., as a visitor by plane, entering this country as an agricultural laborer on June 16, 1949, for a period of time expiring on September 30, 1949. He failed to depart within the time allotted to him.

Deportation proceedings were instituted on February 14, 1951 on the ground that after admission as a visitor he had remained for a longer period of time than permitted. Hearing was accorded him and on September 15, 1952 the hearing officer ordered that the application for the privilege of suspension of deportation be denied and ordered that he be granted voluntary departure in lieu of deportation. Appeal from that order was made and on April 30, 1953, the Board of Immigration Appeals denied the request for suspension of deportation and ordered that the appeal be dismissed. He was ordered to depart voluntarily on or before June 16, 1953. On June 17, 1953, he departed from Miami, Fla. Having failed to avail himself of the privilege of voluntary departure he thereby effected his own deportation, and is now within a class excludable under section 212 (a) (17) of the Immigration and Nationality Act.

The beneficiary was refused an immigrant visa at Kingston, Jamaica, on December 2, 1953, on the grounds that he was documented as a farm worker by the Jamaican Labor Department in the name of Augustus Brown another person, and entered the United States through impersonation June 16, 1949, thereby concealing his true identity.

The following information was furnished by the beneficiary's wife, Margaret Adams Mills, a United States citizen born on May 24, 1932, at Washington, D. C. The beneficiary attended elementary school up to the age of 14 in his native country. This is the first marriage for each which occurred in New York City on June 3, 1950. Two children issued from this marriage, Joyce aged 3 and Edson aged 2,

both United States citizens residing with their mother in New York City. His last employment in the United States was that of box boy from December 1950 to June 1953 at a salary of \$47.76. He has no criminal record. His relatives abroad are his father, 2 sisters and 2 brothers all citizens of Jamaica, British West Indies, all residing there. His assets amount to about \$700 in personal effects and furniture in the United States. His debts amount to about \$235 for furniture.

Mrs. Mills was educated in New York and Baltimore, Md., and graduated from high school in 1950. She has been employed as a clerk by the Reuben H. Donnelly Co. in New York at a salary of \$42 per week. Her assets are personal effects and household furniture.

Mrs. Mills resides with her mother and two children in New York City.

The Director of the Visa Office, Department of State also submitted a report on the 83d Congress bill for the relief of Edson R. Mills which reads as follows:

DEPARTMENT OF STATE,
Washington, April 9, 1954.

HON. CHAUNCEY W. REED,
*Chairman, Committee on the Judiciary,
House of Representatives.*

MY DEAR MR. REED: Reference is made to your letter of March 30, 1954, and its enclosures, wherein you request a report of the facts in the case of Mr. Edson Rhodes Mills, beneficiary of H. R. 8556, 83d Congress, 2d session.

According to a communication received from the American consulate general at Kingston, Mr. Mills was documented as a farm worker by the Jamaican Labor Department in the name of another person, Augustus Brown. On June 16, 1949, he entered the United States at West Palm Beach, Fla., through impersonation, thereby concealing his true identity.

Section 212 (a) (19) of the Immigration and Nationality Act renders ineligible to receive a visa and excludable from the United States any alien who seeks to procure, or has sought to procure, or has procured, a visa or other documentation, or seeks to enter the United States by fraud, or by willfully misrepresenting a material fact. As a consequence, the responsible consular officer would have no choice under the law but to continue to withhold the issuance of an immigrant visa to Mr. Mills.

At this time the Department has no knowledge of any factor in Mr. Mills' case, other than the information hereinbefore cited, which would render him ineligible to receive an immigrant visa. However, it should be borne in mind that any other ground of ineligibility which may come to light prior to visa issuance would preclude Mr. Mills from receiving a visa.

Sincerely yours,

EDWARD S. MANEY,
Director, Visa Office
(For the Secretary of State):

Mr. Powell, the author of H. R. 1374, submitted the following letters in support of his bill:

EDGBOSTON, BIRMINGHAM, *December 20, 1955.*

Congressman ADAM CLAYTON POWELL,
138 West 138th Street, New York, N. Y.

DEAR SIR: I am writing in reference to the congressional bill (H. R. 8556), which you introduced on March 24, 1954, for the relief of my husband, Edson R. Mills. In my last correspondence with you I was informed that the bill would be reviewed for the next session. Since that time, approximately 6 months ago, I have received no further word concerning it. Please tell me whether the bill has been examined and my husband denied readmission or if it is still waiting to be reviewed.

During the week of September 14, 1954, I filed a reentry admission petition form at the district director's office in New York. It has been well over a year and although I have written them, I have received no acknowledgments. As my Congressman I hope it is within your jurisdiction to investigate the matter and inform me whether the papers were received and what progress, if any, has been made.

I would like to impress upon you the dire circumstances which are involved. Since October 10, 1955, my two small children and I have been in England with my husband, but the climatic and living conditions here are such that we will not be able to remain much longer. It has been over 2 years and 6 months since my husband voluntarily left the United States. I do feel within that length of time my husband should have been forgiven and allowed readmission. Two years and four months' separation from his wife and children is penalty enough for any man's mistake.

I hope that you will be kind enough to do everything in your power to help me have my family reunited again.

Thank you, sir.

I remain,

Yours truly,

MARGARET MILLS.

MEMORANDUM IN SUPPORT OF RESPONDENT, EDSON RHODEN MILLS

The respondent, Edson Rhoden Mills, is 24 years of age and a native of Jamaica, British West Indies. He is legally married to an American citizen and has three American-born children. He has been and is gainfully employed ever since his arrival in the United States in June 1949 and has been a law-abiding citizen. His cooperation with the Immigration Service is unquestioned. His employment and character witnesses attest to his good record. His earning capacity is \$48 a week as a factory worker.

In view of the aforesaid facts it is submitted that respondent's application for the privilege of suspension of deportation be granted and his application for an extension of time to remain in the United States be likewise granted.

The undersigned attorney has appeared herein at the request of various mutual friends and without remuneration because said friends vouch for the good conduct and reputation of respondent.

It appears that if respondent were caused to leave the United States, his wife and three small children would unquestionably suffer thereby both financially and morally.

The respondent appeals to the discretion of the committee considering all the facts to grant his application.

The respondent requests permission to appear in person to present his argument.

Respectfully submitted.

HERMAN BROTHERS.,
Attorney for Respondent.

Upon consideration of all the facts in each case included in this joint resolution, the committee is of the opinion that House Joint Resolution 590, as amended, should be enacted and accordingly recommends that the resolution do pass.



